



Qwest
1801 California Street, 49th Floor
Denver, Colorado 80202
Phone 303 672-2799
Facsimile 303 295-6973

Craig Brown
Senior Attorney

EX PARTE

June 7, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket Nos. 01-338, 96-98, 98-147

Dear Ms. Dortch:

On June 7, 2002, Qwest Communications International Inc. ("Qwest") provided a copy of the attached letter to Michelle Carey, Brent Olson, and Robert Tanner of the Wireline Competition Bureau.

Please let me know if you have any questions about this matter.

Very truly yours,

/s/
Craig J. Brown

Enclosure

cc:	Michelle Carey	mcarey@fcc.gov
	Brent Olson	bolson@fcc.gov
	Robert Tanner	rtanner@fcc.gov

R. Steven Davis
Senior Vice President
Policy and Law

1801 California Street, 47th Floor
Denver, CO 80202

303 896 4200
303 298 8763 fax



June 6, 2002

Transmitted via facsimile - 908-221-6405
Original to follow via U.S. mail

Mark C. Rosenblum
AT&T Corp.
295 North Maple Avenue
Basking Ridge, NJ 07920

Re: *Review of the Section 251 Unbundling Obligations of Incumbent Local
Exchange Carriers, et al.*, CC Docket Nos. 01-338, 96-98, 98-147

Dear Mark:

I hereby request that AT&T provide to Qwest all data that were used by AT&T's consultant, Robert D. Willig, to perform the econometric analysis that AT&T submitted with its initial comments in the *Triennial Review* proceeding.¹ Qwest requests these data in order to verify the validity of Dr. Willig's analysis, as well as the accuracy of the inputs used for that analysis.

In its initial comments, AT&T asserts that the availability of unbundled network elements, including the UNE Platform, does not discourage facilities-based investment, but, on the contrary, actually leads to greater investment by competitive LECs and incumbent LECs. In making this argument, AT&T relies primarily on Dr. Willig's econometric analysis, which is outlined in his declaration and attachments to that declaration.²

Qwest seeks to evaluate this analysis by attempting to replicate it, but cannot do so without access to the underlying data. While some portions of the data are publicly available, others are not. For example, Dr. Willig's analysis uses data from a TNS Telecoms Bill Harvesting Study.³ Moreover, other data used in the analysis, such as UNE prices for 40 states, likely have changed to some degree since they were collected

¹ See *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket Nos. 01-338, 96-98, 98-147, Comments of AT&T Corp. (filed Apr. 5, 2002) ("AT&T Comments").

² Declaration of Robert D. Willig ¶¶ 113-121, Exhs. 2 & 3.

³ Willig Declaration, Exh. 2 ¶ 12.

for Dr. Willig's analysis, and, in any case, need to be validated by Qwest.⁴ Even the data obtained from FCC reports is potentially problematic, because judgment calls may have been made to adapt some of the data for use in the analysis. In short, Qwest cannot truly replicate AT&T's analysis without access to the actual and complete data that AT&T and Dr. Willig used in their analysis.

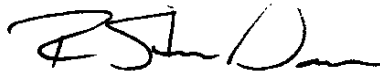
Qwest requests that you send the aforementioned data in electronic format by e-mail or overnight mail to the following Qwest attorney no later than Thursday, June 13, 2002:

Craig J. Brown
1801 California Street, 49th Floor
Denver, CO 80202
E-Mail: cxbrow6@qwest.com
Phone: (303) 672-2799
Fax: (303)295-6973

Please advise Mr. Brown via facsimile no later than the close of business June 10, 2002 whether AT&T will comply with this request. If AT&T refuses or is unable to comply with that request, please describe to Mr. Brown or me the data that AT&T refuses or is unable to disclose, and the reasons for its nondisclosure.

If you or your colleagues would like to discuss our request more specifically please contact Mr. Brown.

Very truly yours,



R. Steven Davis

RSD:ds

⁴ *Id.* ¶ 17.

cc: Michelle Carey, FCC
Brent Olson, FCC
Robert Tanner, FCC
David W. Carpenter, Esq.
Mark E. Haddad, Esq.
Peter D. Kcsler, Esq.
Ronald S. Flagg, Esq.
James P. Young, Esq.
Daniel Meron, Esq.
Michael J. Hunseder, Esq.
C. Frederick Becker, III, Esq.
Ronald L. Steiner, Esq.
Lawrence J. Lafaro, Esq.
Richard H. Rubin, Esq.
Teresa Marrero, Esq.
James J. Valentino, Esq.

